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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/716,898	11/20/2000	Tania Barthel	GR 99 P 1459	8146

7590 01/29/2004

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EXAMINER

KNOWLIN, THJUAN P

ART UNIT PAPER NUMBER

2642

DATE MAILED: 01/29/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/716,898

Applicant(s)

BARTHEL ET AL.

Examiner

Thjuan P Knowlin

Art Unit

2642

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 12 January 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  
2. ☒ The proposed amendment(s) will not be entered because:  
(a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ they raise the issue of new matter (see Note below);  
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Attachment (Response to Arguments).

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: \_\_\_\_\_.  
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: None.

Claim(s) objected to: None.

Claim(s) rejected: 1-6 and 9-12.

Claim(s) withdrawn from consideration: None.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.  
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.  
10. ☐ Other: \_\_\_\_\_

Examiner: Thjuan P. Knowlin  
Phone: (703) 308-1727

***Response to Arguments***

Applicant's arguments filed 01/12/04 have been fully considered but they are not persuasive. In regards to the argument that Redd does not teach initiating a telecommunication service to be triggered in response to an event which differs from a communication setting-up request from a subscriber, the limitation of the present invention, reads on the subscriber activating or deactivating the service by a call to a system number, which may be a virtual number (col. 5-6 lines 63-2). Thus there is no "connection", the subscriber simply calls a virtual number to trigger activation of the service. Again, "connection" is normally between two entities. Applicant states that Redd does not teach generating a virtual telephone number in a service control point after activating the telecommunication service. The limitation of a virtual telephone number being generated in a service control point was added to the claims after the Final Rejection. This feature changes the scope of the claims, and therefore, will not be addressed by the Examiner, due to the fact that it requires further consideration and/or search <sup>by</sup> the Examiner. Applicant further argues that Redd does not teach using a switching point to transmit the virtual telephone number from the service provider to initiate the telecommunication service after the occurrence of the event. Examiner respectfully disagrees with this argument. Redd does teach using a switching point (SSPs 11, 13, 15, and 17) to transmit the virtual telephone number from the service provider to initiate the telecommunication service after the occurrence of the event (col. 9 lines 21-42, col. 11 lines 35-48, and col. 13 lines 7-11).

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